

REMARKS

Claims 1-22 were pending in this application.

Claims 1-11 and 16-22 have been rejected.

Claims 12-15 have been objected to.

Claims 1 and 17 have been amended as shown above.

Claims 1-22 remain pending in this application.

Reconsideration and full allowance of Claims 1-22 are respectfully requested.

I. DOUBLE PATENTING REJECTION

The Office Action rejects Claims 1, 2, 9-11, and 16-18 under the judicially created doctrine of obviousness type double patenting in view of U.S. Patent No. 7,156,116.

U.S. Patent No. 7,156,116 is owned by Honeywell International Inc. as indicated by an assignment recorded with the U.S. Patent and Trademark Office at reel 015235, frame 0112. This application is also owned by Honeywell International Inc. as indicated by the assignment (which is being separately recorded) included in the Appendix. A Terminal Disclaimer is being submitted with this Amendment and Response, which overcomes the double patenting rejection.

Accordingly, the Applicant respectfully requests withdrawal of the double patenting rejection.

II. REJECTION UNDER 35 U.S.C. § 101

The Office Action rejects Claims 1-9 and 17-22 under 35 U.S.C. § 101 as being directed

to non-statutory subject matter.

In rejecting Claims 1-9 and 17-22, the Office Action asserts that these claims “do not recite the invention for filtering a signal,” so these claims “therefore lack a practical application.” The Applicant has amended Claim 1 to recite a “method for filtering a signal.” Similarly, the Applicant has amended Claim 17 to recite a “computer program for filtering a signal.” Based on the statements in the Office Action quoted above, the Applicant respectfully submits that Claims 1 and 17 recite a practical application for the claimed invention.

Accordingly, the Applicant respectfully requests withdrawal of the § 101 rejection.

SUMMARY

The Applicant respectfully asserts that all pending claims in this application are in condition for allowance and respectfully requests full allowance of the claims.


If any issues arise or if the Examiner has any suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@munckbutrus.com*.

The Commissioner is hereby authorized to charge any fees connected with this communication (including any extension of time fees) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

MUNCK BUTRUS CARTER, P.C.

Date: Dec 19, 2007



William A. Munck
Registration No. 39,308

Legal Department Docket Clerk
101 Columbia Road
P.O. Box 2245
Morristown, New Jersey 07962
Phone: (602) 313-5683
Fax: (602) 313-4559

DOCKET NO. 120 06794 US
SERIAL NO. 10/719,189
PATENT

APPENDIX

Copy of Assignment

SOLE

PATENT
Docket No. I20 06794 US

ASSIGNMENT

WHEREAS, I, Joseph Z. Lu, of Glendale, County of Maricopa, and State of Arizona, have invented certain new and useful improvements in Apparatus and Method for Filtering a Signal, for which an application was made for Letters Patent of the United States, said application being executed on the _____ day of _____, 2004; and

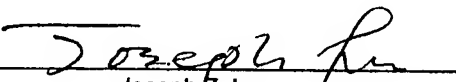
Whereas, Honeywell International Inc., a corporation organized and existing under the laws of the State of Delaware, and having its principal offices at 101 Columbia Road, POB 2245, Morristown, New Jersey, 07962, U.S.A., is desirous of acquiring the entire right, title and interest in and to said invention, said application and in, to and under any and all Letters Patent to be obtained therefor;

Now, therefore, for good and valuable consideration to me paid by the said Honeywell International Inc., the receipt of which is hereby acknowledged, I have sold, assigned and transferred, and by these presents do hereby sell, assign and transfer unto the said Honeywell International Inc., its successors and assigns, my entire right, title and interest in and to said invention, said application and the Letters Patent, both foreign and domestic, that may or shall issue, including all of my rights under any and all international conventions, treaties and/or agreements concerning patents to which the United States is a party, and I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to the above mentioned assignee in accordance herewith.

I further authorize said assignee, its successors and assigns, or anyone it may properly designate, to apply for Letters Patent, in its own name if desired, in any and all foreign countries, and additionally to claim the filing date of said United States application and/or otherwise take advantage of the provisions of any international convention, treaty and/or agreement.

I do hereby covenant and agree with the said assignee, its successors and assigns, that I will not execute any writing or do any act whatsoever conflicting with these presents, and that I or my executors or administrators will at any time upon request, without further or additional consideration, but at the expense of the said assignee, its successors and assigns, execute such additional writings and do such additional acts as said assignee, its successors and assigns, may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, reissued or extended Letters Patent of the United States, or any of and all foreign countries on said invention, and in enforcing any rights, occurring as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents.

Date 4/20, 2004


Joseph Z. Lu